IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CRIMINAL JURISDICTION

CRIMINAL WRIT PETITION NO.1925 OF 2006

Chandrakant Laxman Jadhav .. Petitioner

versus

The State of Maharashtra & ors.. Respondents

Ms.S.P.Chavan, Advocate i/b Mr.A.M.Saraogi for Petitioner

Ms.S.D.Shinde, A.P.P.for Respondents

CORAM : J.N.PATEL AND
SMT.ROSHAN DALVI, JJ
DATED : 20th September, 2006

P.C.

1. This is a petition filed for claiming compensation in a dispute between two parties in which a shoot out took place where the petitioner who was a innocent bystander suffered bullet injuries because of which he was required to take

medical treatment and lost his job and therefore, he claims compensation.

2. The reason spelt out in the petition for directly approaching this Court under Articles 226/227 of the Constitution of India is that the petitioner is an indigent person and cannot afford to pay court fees and approach a civil Court.

3. We find that this is a case which will have to be decided on the basis of evidence. The petitioner still has the period of limitation in his favour and if he is an indigent person, he can very well file a suit in forma pauperis as an indigent person for claiming compensation which he claims to be entitled from the respondent nos. 2 and 3 who are private parties.

4. We are not inclined to entertain this petition and grant liberty to the petitioner to seek an alternative remedy.

5. With this liberty, petition is dismissed.

(Smt Roshan Dalvi,J) **(J.N.Patel, J)**